

GRANT OF EASEMENT

TEMPORARY CONSTRUCTION EASEMENT

This Indenture and Grant of Easement made this 4th day of April, 1986, between Omaha National Bank, Special Administrator of the Estate of Rosalia Cohen, Deceased, hereinafter referred to as "GRANTOR", in favor of Sanitary and Improvement District No. 136 of Sarpy County, Nebraska, hereinafter referred to as "SID" and its successors and assigns.

WITNESSETH:

THAT, said GRANTOR in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, does grant and confirm unto said SID and its successors and assigns, the right to enter upon and use for working space for the construction of a Sanitary Sewer and appurtenances thereto, the parcel of land described as follows, to-wit:

See attached Exhibit "A".

The easement runs with the land and terminates twenty (20) days after the improvement is completed in the area covered by the easement.

Said easement is granted upon the condition that the SID will remove or cause to be removed all presently existing improvements thereon, including but not limited to crops, vines, gardens and lawns within the easement area as necessary for construction of said improvement; however, SID shall pay for any crops damaged by the SID or its agents if such damage is the direct and proximate result of the construction and installation of the aforementioned Sanitary Sewer, or

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afffects Lots 50 to 59
x Lots 65 to 70.

any damage which is the direct and proximate result of any delay in planting of the crops on the land described in Exhibit "A" caused by construction and installation of said Sanitary Sewer.

This easement is also for the benefit of any contractor, agent, employee and representative of the SID in any of said construction and work.

This instrument contains the entire agreement of the parties; that there are no other or different agreements or understandings, except a Permanent Easement between the GRANTOR and the SID or its agents; and that GRANTOR in executing and delivering this instrument, has not relied upon promises, inducements, or representations of the SID or its agents or employees, except as are set forth herein.

Said GRANTOR for itself and its successors and assigns, does or do confirm with the said SID and its assigns, that GRANTOR is well seized of the premises aforesaid and that it has the right to grant this easement in the manner and form aforesaid, and that it will, and its successors and assigns shall, warrant and defend this easement to said SID and its assigns against the lawful claims and demands of all persons.

The consideration recited includes damages for change of grade, if any, and any and all claims for damage arising from change of grade or grading are hereby waived.

IN WITNESS WHEREOF, said GRANTOR has hereunto set its hand and seal this 4th day of April, 1986.

GRANTOR:
CITIFHA NATIONAL BANK, Special Administrator of
The Estate of Rosalie Cohen, Deceased.

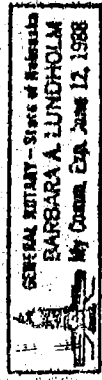
By Michael R. O'Malley
Michael R. O'Malley, Secretary Vice President

59-707B

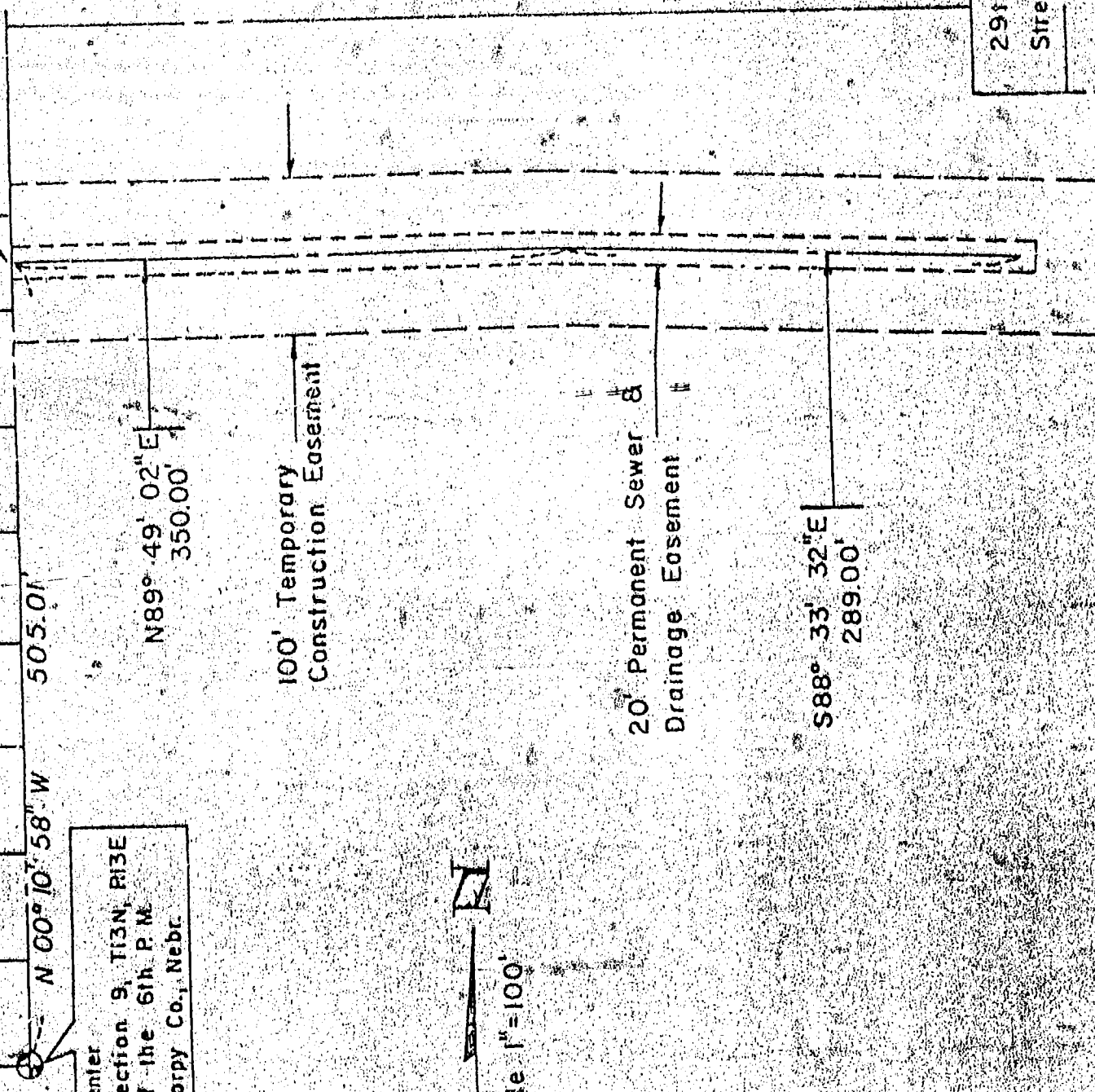
STATE OF NEBRASKA)
) 59.
COUNTY OF DOUGLAS)

On this 4th day of April, 1986, the foregoing instrument was acknowledged before me by Michael R. O'Valley, Second Vice President of Omaha National Bank, acting on behalf of and as Special Administrator of the Estate of Rosalie Cohen, Deceased.

Barbara A. Lundholm
Notary Public



59-707C
 30th Street
 COURTNEY DRIVE
 29th Street
 LEANING OAK III



LEGAL DESCRIPTION

A 20 foot permanent and 100 foot temporary easement located in the south one-half of the N.E. 1/4 of Section 9, T13N, R13E of the 6th P.M., Sarpy County, Nebraska, the centerline of which is described as follows:

Commencing at the center of said Section 9, thence N00°10'58"W along the west line of the said N.E. 1/4 for a distance of 505.01 feet to the point of beginning (said point also being on the centerline of Courtney Drive). Thence N89°49'02"E for a distance of 350.00 feet thence S88°33'32"E for a distance of 289.00 feet to an existing manhole located + 273 feet south of the intersection of 29th Street & Nottingham Drive and point of termination.

EXHIBIT "A"